

APPENDIX H: CAL FIRE MANDATED MONITORING AND REPORTING REQUIREMENTS

The following is a list of the 2016 California Forest Practice Rules with specific monitoring requirements to be conducted by CAL FIRE. If these rule requirements fall within the monitoring themes identified in Section 2.3, the EMC will place significant emphasis on them, ensuring that they are addressed with EMC-supported monitoring projects. The EMC has reviewed the list and prioritized the FPR monitoring requirements into three categories or tiers. The highest priority tier directly relates to identified themes in this Strategic Plan; the moderate priority tier indirectly relates to identified themes, and the lowest priority tier was not judged to relate to identified themes.

Highest Priority Tier

Class II Watercourses

14 CCR §§ 916.9 [936.9, 956.9] (g) (1) (C) The Department shall report to the Board at least once annually on the use and effectiveness of 14 CCR § 916.9 [936.9, 956.9] subsection (g) for as long as this rule section remains effective.

Maintenance and Monitoring of Logging Roads and Landings

14 CCR §§ 923.7 [943.7, 963.7] (k) . . . The Department shall also conduct monitoring inspections at least once during the prescribed maintenance period to assess logging road and landing conditions.

Watercourse Crossings

14 CCR §§ 923.9 [943.9, 963.9] (u) . . . The Department shall also conduct monitoring inspections at least once during the prescribed maintenance period to assess watercourse crossing conditions.

Aspen, meadow and wet area restoration

14 CCR §§ 913.4 [933.4, 953.4] (e) (7) The Department shall review post-harvest field conditions of the portions of plans using the aspen, meadow and wet area restoration silvicultural prescription and prepare a monitoring report every five (5) years for the Board. The monitoring report shall summarize information on use of the prescription including:

- (i) The level of achievement of the measures of success as stated in the plan per 14 CCR §§ 913.4, 933.4, and 953.4, subsection (e)(5);
- (ii) Any post-harvest adverse environmental impacts resulting from use of the prescription;
- (iii) Any regulatory compliance issues; and
- (iv) Any other significant findings resulting from the review. The review shall include photo point records.

Modified THP for Fuel Hazard Reduction

14 CCR § 1051.7 . . . The Department shall report to the Board at least once annually on the use and effectiveness of 14 CCR §§ 1051.3-1051.7 for as long as these rule sections remain effective.

Moderate Priority Tier

Site-specific measures or nonstandard operational provisions

14 CCR §§ 916.9 [936.9, 956.9] (v) (10) Board staff and the Department shall work with agencies, stakeholders, and appropriate scientific participants (e.g., Monitoring Study Group, Technical Advisory Committee) in a transparent process to: (1) describe and implement two pilot projects, including monitored results, using site-specific or non-standard operational provisions; and (2) provide recommendations to the Board for consideration for adoption to provide detailed guidance for the application of site-specific or non-standard operational provisions. The pilot projects and guidance shall address cumulative and planning watershed impacts, and the guidance may address the appropriate standards the site-specific or non-operational provisions shall meet. A report on the progress of the pilot projects and implementation guidance shall be presented to the Board within 18 months of the effective date of this regulation.

Forest Fire Prevention Exemption Pilot Project

14 CCR§ 1038(j) (15) At least one inspection conducted by the Director shall be made after completion of operations.

14 CCR§ 1038(j) (17) The department shall maintain records regarding the use of the Forest Fire Prevention Exemption Pilot Project exemption in order to evaluate the impact of it on fuel reduction and natural resources in areas where it has been used.

PRC § 4584 (j) (11) (F) The department shall maintain records regarding the use of the exemption granted in this paragraph in order to evaluate the impact of the exemption on fuel reduction and natural resources in areas where the exemption has been used.

PRC § 4584 (j) (12) After the timber operations are complete, the department shall conduct an onsite inspection to determine compliance with this subdivision and whether appropriate enforcement action should be initiated.

Lowest Priority Tier

Section 303(d) Listed Watersheds

14 CCR §§ 916.12 [936.12, 956.12] (a) The Department shall, in collaboration with the appropriate RWQCB and SWRCB, prioritize watersheds in which the following will be done: 1) conduct or participate in any further assessment or analysis of the watershed that may be needed, 2) participate in the development of Total Maximum Daily Load (TMDL) problem assessment, source assessment, or load allocations related to timber operations, and 3) if existing rules are deemed not to be sufficient, develop recommendations for watershed-specific silvicultural implementation, enforcement and monitoring practices to be applied by the Department.

14 CCR §§ 916.12 [936.12, 956.12] (b) The Department shall prepare a report setting forth the Department's findings and recommendations from the activities identified pursuant to (a) above. The report shall be submitted to the Board and the appropriate RWQCB. The report shall be made available to the public upon request and placed on the Boards' website for a 90-day period.

Protection of Habitable Structures Exemption, 2015

14 CCR § 1038 (c) (6) (G) The Department shall evaluate the effects of the exemption allowed under 14 CCR 1038(c)(6) including frequency and state-wide distribution of use acres treated, compliance, professional judgment regarding post-treatment stand conditions observed relative to moderating fire behavior and actual performance in the event of a wildfire. The Department shall, annually report its findings based on this evaluation to the Board.

PRC § 4581 (i) (6) The department shall evaluate the effects of this paragraph and shall report its recommendations, before the paragraph becomes inoperative, to the Legislature based on that evaluation. The report shall be submitted in compliance with Section 9795 of the Government Code.

Drought Mortality Amendments, 2015

14 CCR§ 1038 (k) (8) The Department shall monitor and report on the statewide use of the exemption, allowed under 14 CCR § 1038(k), including the number of harvest area acres, the areas of application and the degree of compliance. The Department shall, within 180 days of the date that these emergency regulations are filed with the Secretary of State, report its findings, to the Board.

Forest Fire Prevention Exemption

14 CCR§ 1038(i) (14) At least one inspection conducted by the Director shall be made after completion of operations.

PRC § 4584 (j) (12) After the timber operations are complete, the department shall conduct an onsite inspection to determine compliance with this subdivision and whether appropriate enforcement action should be initiated.

Emergency Notice for Outbreaks of Sudden Oak Death Disease

14 CCR§ 1052.5 The Department shall track the number of Emergency Notices for outbreaks of SOD, the acreage treated under the notices, and the WLPZ acreage treated under the notices, and report the results to the Board bi-annually.

Conversion Exemptions

14 CCR§ 1104.1 (7) The Department shall provide for inspections, as needed, to determine that the conversion was completed.

New sentence to add to add to Section 1.1 of the Revised EMC Strategic Plan

1.1 Background

Effectiveness monitoring is a key component of adaptive management and the EMC proposes to build upon and expand on previous monitoring work. Over the past 20 years on California's state and private forestlands implementation and limited short-term effectiveness monitoring has focused primarily on water quality related issues (Tuttle 1995, Lee 1997, BOF 1999, Cafferata and Munn 2002, BCTF 2011, Brandow et al. 2006, Longstreth et al. 2008, BCTF 2011, Brandow and Cafferata 2014). Longer-term cooperative instream monitoring studies have also studied potential impacts from harvesting practices on water quality and aquatic habitats. These projects have included: the Caspar Creek watershed study (Rice et al. 1979, Ziemer 1998,

Lewis et al. 2001, Cafferata and Reid 2013), the Garcia River Instream Monitoring Project (Euphrat et al. 1998, Maahs and Barber 2001, Barber and Birkas 2006), the Little Creek Watershed Study (Skaugset et al. 2012, Loganbill 2013, Dietterick et al. 2015), the Judd Creek Watershed Study (MacDonald and James 2011), and the South Fork Wages Creek Watershed Study (RiverMetrics 2011). Existing monitoring approaches have had limited use for adaptive management, and have only addressed water quality and aquatic habitat concerns. As such, the EMC proposes to incorporate more comprehensive, rigorous and hierarchical forms of monitoring to aid in adaptive management. The EMC was formed in 2014 to develop and implement an effectiveness monitoring program to address both watershed and wildlife concerns, and to provide a better active feedback loop to policymakers, managers, agencies, and the public. At a minimum, the California Forest Practice Rules that include effectiveness monitoring requirements related to the main themes identified in this plan will be addressed with EMC-supported monitoring projects (Appendix H).